Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes August 21, 2009

A meeting of the Planning Commission of the City of Saint Paul was held Friday, August 21, 2009, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Mmes. Donnelly-Cohen, Faricy, Lu, Morton, Thao, Wencl; and

Present: Messrs. Alton, Bellus, Goodlow, Gordon, Johnson, Kramer, Margulies, Schertler,

Spaulding, and Ward.

Commissioners

Mmes. *Porter, *Smitten, and Messrs. *Commers, *Nelson.

Absent:

*Excused

Also Present: Donna Drummond, Planning Administrator; Patricia James, Kate Reilly, Emily

Goodman, and Sonja Butler, Department of Planning and Economic

Development staff.

I. Approval of minutes August 7, 2009.

MOTION: Commissioner Faricy moved approval of the minutes of August 7, 2009. Commissioner Johnson seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Alton announced that this is Commissioner Bellus' last meeting, as he has resigned from the Planning Commission.

Chair Alton read a resolution honoring Commissioner Bellus for his service on the Planning Commission.

James Bellus thanked the Commission and made a few comments.

<u>MOTION:</u> Commissioner Wencl moved approval of the resolution honoring Commissioner Bellus. Commissioner Donnelly-Cohen seconded the motion. The motion carried unanimously on a voice vote.

Chair Alton reminded the commissioners of two events regarding the Green Infrastructure for Clean Water conference. There is an event on Friday, September 25, 2009 from 8:00 a.m. to 4:00 p.m. at the Landscape Arboretum in Chaska and an evening reception before that on Thursday, September 24, 2009 for local appointed leaders from 7:00-9:00 p.m. He encouraged the commissioners to attend.

III. Planning Administrator's Announcements

Donna Drummond announced that in the commissioners packets there were a number of new inserts for the Planning Commission manuals including a listing of staff and their contact information, a couple of new maps in color, and a new summary sheet on zoning districts and the various uses that are permitted in each district.

Also, Ms. Drummond reported that a resolution was approved at the City Council last Wednesday requesting various city departments including Parks and Planning and Economic Development to work with Ramsey County Public Health on an analysis of food needs in the community. This is something a few of PED staff have already started working on. This is a formal resolution from the council asking staff to continue to work on the analysis of food needs, because there is an increasing interest in this issue.

Related to that issue there is an ordinance currently under review at City Council that would make it easier for people to raise chickens on their property. It would eliminate a petition requirement for raising three or fewer chickens.

At the HRA meeting last week the HRA Commissioners approved a new program for parking called the Neighborhood Commercial Parking Program. This program has been set up to address the loss of on-street parking on University Avenue that will result from construction of the LRT. This program will provide forgivable loans to commercial property owners who want to make improvements to shared parking lots. There is an incentive to get two or more property owners together and agree to share parking and make improvements. The goal of the program is to better manage and utilize the off-street parking that is already on the corridor.

IV. Zoning Committee

OLD BUSINESS

#09-198-725 Rob Anderson – Enlargement of nonconforming duplex, adding third floor living space for second floor unit. (*Sarah Zorn*, 651/266-6556)

Chair Alton said that on page one item three, number two the word "build" should be "built".

<u>MOTION TO AMEND</u>: Commissioner Morton moved to amend the resolution. Commissioner Ward seconded. The motion carried unanimously on a voice vote.

<u>MOTION</u>: Commissioner Morton moved the Planning Commission's recommendation to approve the resolution as amended. The motion carried unanimously on a voice vote.

NEW BUSINESS

#09-217-922 Zane and Mary Neal – Rezoning from B3 General Business to RT1 Two-Family Residential to re-establish a duplex. 998 Bush Avenue SW corner at Cypress. (*Patricia James*, 651/266-6639)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

#09-096-093 Kevin and Debora Boyd – Rezoning from RM2 Medium-Density Multiple-Family residential to VP Vehicular Parking to provide additional parking for Lifetime Legacy. 1057 Selby Avenue between Oxford and Lexington. (Emily Goodman, 651/266-6551)

Commissioner Spaulding questioned how the determination of "viable" housing is made as it pertains to the prohibition against demolition of viable housing for surface parking lots in the draft Transportation Plan.

Commissioner Morton said that the Zoning Committee received the purchase agreement from Coldwell Banker Burnett, and in it are listed areas of damage to the property. The cost to repair the damage would be high, making the home not viable.

Commissioner Gordon said that there was also testimony from the contractor about specific problems: frozen pipes and mold. On the other side, there were a few witnesses who testified that the home could be saved, but they have never been in the building and could not be specific.

Ms. Goodman said that staff also struggled with this. They were unsure about what qualifies something as not viable. Coldwell Banker's purchase agreement did not exactly say it was not viable, but it does say there is damage to the house.

Commissioner Kramer said that two substantial issues made the case for non-viability. The first was the pipe in the basement, which, according to testimony, would have necessitated tearing up the entire basement and either the waste line or the incoming waterline. The second were broken radiators.

Commissioner Schertler stated that the staff struggling on the viability question is an important one. The distinction on this project is that it appears there is another use for the property. But he does think that PED should be cautious about the viability issue.

Chair Alton said that he voted against this at the Zoning Committee meeting because as he recalls this is the first time that they have rezoned a parcel of land VP where the adjoining property didn't need the parking. He was very concerned that they could rezone this property VP and that there is no connection between the two parcels of land so the property owner could sell off this VP parking lot as a separate parcel.

Commissioner Gordon said that his recollection is that they were advised by staff that the parking lot could not just be sold to anybody as a separate parcel, but that it had to be used in connection with an adjacent business.

There was further discussion about combining the parcel with the business parcel next door and the ability to split off the parking parcel later and sell it separately.

Allan Torstenson, PED staff, explained the lot split approval process in the City.

Mr. Torstenson went on to say that typically VP lots are separate lots. They are not combined with the parcel that they serve.

There was further discussion about another business buying and using the lot for parking.

Patricia James, PED staff, clarified that the zoning code does say that the VP parcel needs to be associated with the principle use and that there are VP lots that are not adjacent to the business they serve.

Commissioner Schertler said that the code requirements reflect minimum parking standards. Communities were built before the automobile, so there is under parking. The point on viability of the house should be a lower threshold given this reality. The VP district creates some flexibility to provide places to park. The purpose of this classification is to be flexible and problem solve. If the rezoning does not occur, there will be an old obsolete house that sits with nobody doing anything with it.

Commissioner Margulies stated that it all comes down to the safety net being a site plan review process sometime in the future, which seems unwise.

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the rezoning. The motion carried on a voice vote of 14-2 (Alton, Ward).

<u>Duplex-Triplex Conversion Guidelines</u> – Approve resolution adopting guidelines.

Chair Alton stated that these are guidelines only and not mandatory. There are mandatory provisions for conversion, but these are an addition.

Kate Reilly, PED staff, noted the changes that were made since the Zoning Committee meeting. Under the applications for Duplexes, the language was modified so that it was clear that both the Board of Zoning Appeals and Planning Commission had jurisdiction over these guidelines for decision. That same change was made over the Triplex Conversion guidelines. Under the applications for establishment of legal nonconforming use, and re-establishment of nonconforming use under Triplex guidelines #4, staff looked at the on-street parking which is in the area as well as reviewing the application. This was an addition to address some of the issues that were brought up at the Zoning Committee meeting.

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the amendments to the resolution adopting guidelines. The motion carried unanimously on a voice vote.

Commissioner Morton announced the items on the agenda for the next Zoning Committee meeting on Thursday, August 27, 2009.

V. Comprehensive Planning Committee

Chair Donnelly-Cohen announced that the next meeting is on Tuesday, September 1, 2009 and the agenda.

VI. Neighborhood and Current Planning Committee

<u>Dynamic Display Sign Ordinance</u> – Approve resolution recommending dynamic sign ordinance. (*Emily Goodman*, 651/266-6551)

Chair Alton said that there was a public hearing held in April and several people testified with regard to this change to the zoning code and the Neighborhood Planning Committee considered it and made some revisions and recommendations.

Emily Goodman, PED staff, said that there are two categories of major policy changes in the edits from the draft on April 24th at the public hearing. The first is a new, more concise definition that clearly includes billboards with dynamic within the umbrella of signs with dynamic display. By classifying the billboards with dynamic display, signs with dynamic display also invited more redundant language to be eliminated. Second are different levels of restriction for signs with dynamic display in the various zoning districts, according to a chart that was distributed

<u>MOTION</u>: Commissioner Wencl moved the Neighborhood Planning Committee's recommendation to approve the resolution recommending Dynamic Display Ordinance be adopted by City Council. The motion carried unanimously on a voice vote.

Commissioner Wencl announced the items on the agenda for the next Neighborhood Planning Committee meeting on Wednesday, August 26, 2009.

VII. Communications Committee

No report.

VIII. Task Force Reports

Commissioner Faricy reported on the Ford Task Force saying that there was an article in the newspaper regarding a letter that Mayor Coleman and Councilmember Harris sent to Ford, requesting that when they close the plant in January 2010 that they retrofit it to produce a new vehicle called Transit Connect, which gets 22-25 miles per mile. What Ford does with that is unknown, the task force has not heard from them. Hopefully something big will come of this.

IX. Old Business

None

X. New Business

None

XI. Adjournment

Meeting adjourned at 9:26 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul

Respectfully submitted,	Approved
	(Date)
Planning Administrator	Secretary of the Planning Commission

Butler\planning commission\calendar\August 21, 2009